

SECTION V

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan, the jurisdiction certifies that:

Affirmatively Further Fair Housing - The jurisdiction will affirmatively further fair housing. It will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan - It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace - It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;
5. Notifying the agency in writing, within ten (10) calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within thirty (30) calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying - To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or

cooperative agreement, it will complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all times (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction - The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan - The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 - It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

DENNIS HANSBERGER

Chairman, San Bernardino County Board of Supervisors

Title

SPECIFIC CDBG CERTIFICATIONS

The Entitlement Community certifies that:

Citizen Participation - It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan - Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 Part 570.2 and CFR 24 Part 570)

Following a Plan - It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds - It has compiled with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities, which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available;
2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2001 (a period specified by the grantee consisting of one (1), two (2), or three (3) specific consecutive program years), shall principally benefit persons of low- and moderate- income in a manner that ensures that at least seventy percent (70%) of the amount is expended for activities that benefit such persons during the designated period;
3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force - It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and,
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination Laws - The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint - Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A,B,J,K and R.

Compliance with Laws - It will comply with applicable laws.

Signature/Authorized Official

Date

DENNIS HANSBERGER

Chairman, San Bernardino County Board of Supervisors

Title

SPECIFIC HOME CERTIFICATIONS

The HOME participating jurisdiction certifies that:

Tenant-Based Rental Assistance - If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs - It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in 92.214.

Appropriate Financial Assistance - Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing.

Signature/Authorized Official

Date

DENNIS HANSBERGER
Chairman, San Bernardino County Board of Supervisors
Title

SPECIFIC ESG CERTIFICATIONS

The Emergency Shelter Grantee certifies that:

Major rehabilitation/conversion - It will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least ten (10) years. If the jurisdiction plans to use funds for purposes less than tenant-based rental assistance, the applicant will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least three (3) years.

Essential Services - It will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure as long as the same general population is served.

Renovation - Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services - It will assist homeless individuals in obtaining appropriate supportive services, including permanent housing, medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living, and other Federal, State, local, and private assistance.

Matching Funds - It will obtain matching amounts required under 576.71 of this title.

Confidentiality - It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement - To the maximum extent practicable, it will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, operating facilities, and providing services assisted through this program.

Consolidated Plan - It is following a current HUD-approved Consolidated Plan or CHAS.

Signature/Authorized Official

Date

DENNIS HANSBERGER

Chairman, San Bernardino County Board of Supervisors

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies. (This is the information to which jurisdictions certify).
4. For grantees who are individuals. Alternate II applies. (Not applicable to jurisdictions.)
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

County of San Bernardino
Department of Economic and Community Development
290 North "D" Street, Sixth Floor
San Bernardino, CA 92415-0040

Check X if there are workplaces on file that are not identified here; The certification with regard to the drug-free workplace required by 24 CFR Part 24, subpart F.

9. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

The County of San Bernardino will replace or if available, identify replacement dwelling units to replace all occupied and vacant occupiable low- and moderate-income dwelling units that have been demolished or converted to a use other than as low- and moderate-income housing, in connection with an activity assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606(c)(1).

All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the County to provide funds for an activity that will directly result in demolition or conversion, the County will make public, by publication in a newspaper of general circulation, and submit to HUD the following information in writing:

1. A description of the proposed assisted activity;
2. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activities;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data are not available at the time of the general submission, the County will identify the general location on an area map and the approximate number of dwelling units by size and provide information identifying the specific location and number of dwelling units by size as soon as it is available;
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten (10) years from the date of initial occupancy;
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units) is consistent with the housing needs of lower income households in the jurisdiction.

The County of San Bernardino Department of Economic and Community Development (ECD) at (909) 388-0800, in conjunction with the County of San Bernardino Department of Real Estate Services at (909) 387-2764, is responsible for tracking the replacement of housing and ensuring that it is provided within the required period.

ECD and Real Estate Services are responsible for ensuring requirements are met for notification and provision of relocation assistance, as described in 24 CFR 570.606(c)(2), to any lower-income person displaced by the demolition of any dwelling unit or the conversion of a low- and moderate-income dwelling unit to another use in connection with an assisted activity.

Consistent with the goals and objectives of activities assisted under the Act, the County will take the following steps to minimize the displacement of persons from their homes:

1. To the greatest extent feasible, develop new public facilities and improvements only on undeveloped sites.
2. Stage the rehabilitation of apartment units to allow tenants to remain during and after rehabilitation by working with empty units or buildings first.
3. Utilize existing voucher programs to house persons who must be relocated temporarily during rehabilitation.
4. Provide displaced homeowners and renters with information on the assistance available.

SUMMARY OF CITIZEN COMMENTS

Following is a summary of comments and views of citizens received in writing or orally regarding proposals recommended for funding during preparation of the Fourth-Year Update of the Consolidated Plan.

4/1/03

Public testimony at the Board of Supervisors public hearing on the 2003-2004 Action Plan of the 2000-2005 Consolidated Plan:

Diane Rodriguez with the Mobile Outreach/Employment Assistance Health Education and Tattoo Removal Services - Health Education Laser Program (HELP) provided information regarding this program and Hepatitis C. The program serves the cities of San Bernardino and Riverside. (Proposal # 29141)

Juan Avila of the San Jose Tattoo Removal Program described the collaborative assistance provided to the Mobile Outreach/Employment Assistance Health Education and Tattoo Removal Services - Health Education laser Program (HELP) for the past year and one half. (Proposal # 29141)

Anabell Haskins, a Hepatitis C Educational Trainer, representing Mobile Outreach/Employment Assistance Health Education and Tattoo Removal Service - Health Education Laser Program (HELP) conveyed that eighty percent of the world's population have a form of Hepatitis and this statistic will increase without education. (Proposal # 29141)

Joseph Rodriguez, Co-Founder, of the Gang Reduction Intervention Team (GRIT) related that GRIT had sent several youths to the Health Education Laser Program, Tattoo Removal Service. He described the GRIT program as providing positive direction for youth twelve to eighteen and requested continuing funding from the Supervisors. (Proposal # 29058)

Sally Moore with the Assistance League of Redlands thanked the Supervisors for the support regarding the restroom improvements for wheel chair accessibility. (Proposal # 29323)

Penny Lawrence representing High Desert Domestic Violence thanked the Supervisors for their support and provided information on the need to continue the confidential domestic violence program. (Proposal # 29254)

Sandra Kramer of the Camp Fire Boys and Girls Club described the "I'm Peer Proof" Youth Counseling Program and thanked the Supervisors for their continuing support. (Proposal # 29043)

Peggy Fries with Desert Sanctuary described the domestic violence program and thanked the Supervisors for recommending the project for approval. (Proposal # 29053)

Sandra Fleck, Director, Reach Out 29 described the Senior and Handicapped Medical and Social Service Transportation program and was appreciative for the funding. (Proposal # 29184)

Janet Trott, Executive Director, DOVES presented information regarding the bilingual program. She thanked the Supervisors for their support of the bilingual program. (Proposal # 29191)

Gilbert Huerta of Hazards of Belonging to Gangs related how the program has grown to include working with the elementary and middle schools. He thanked the Supervisors for their support. (Proposal # 29233)

Judy Morris, Executive Director of Moses House described the program that provides housing and family services for at-risk pregnant teens, single mothers and children. She thanked the Supervisors for funding the program. (Proposal # 29090)

Karen Pogue, Director of Development, Loma Linda Ronald McDonald House Charities thanked the Supervisors for the support and assistance for the Ronald McDonald House. (Proposal # 29078)

Richard Rowe, City Manager, of the City of Needles provided information regarding the Agape House Homeless Shelter. In addition, he requested funding for the shelter. (Proposal # 29335)

Following is a summary of comments and views of citizens in writing or orally regarding proposals that were not recommended for funding during preparation of the Fourth-Year Update of the Consolidated Plan.

4/1/03

Public testimony at the Board of Supervisors public hearing on the 2003-2004 Action Plan of the 2000-2005 Consolidated Plan:

Barbara Rosselli representing Joshua Tree Kids Club described the need for an after school teenage program serving youths thirteen to seventeen. She requested the Supervisors to reconsider funding the program and for any other assistance that they could provide. (Proposal # 29064)

Diane Caldera, Executive Director, High Hopes explained the need for an additional vehicle to serve the Green Valley to Big Bear area for transportation to the program. In addition, she provided information about the prenatal to five-years-old group program. (No proposal submitted)

Joseph Matousch, Pastor, Faith Lutheran Church Food Pantry provided information for the expansion of the Food Closet which provides food for over 500 people a month. He requested the Supervisors to reconsider his request for funding. (Proposal # 29037)

David Moore with the Family Service Agency requested of the Supervisors reconsideration for funding for the outpatient counseling program (Proposal # 29026)

Dorothy Grant of the Dorothy Grant Head Start Center requested the Supervisors to reconsider closing the Head Start Center. (No proposal submitted)

Melissa Algir a concerned parent of the Dorothy Grant Head Start Center provided information regarding the 100 families impacted by the closing of the Head Start Center. (No proposal submitted)

Janet Trott, Executive Director, DOVES presented information regarding the Crestline and Twin Peaks project. She asked for funding of the project. (Proposal # 29232)

Patricia Navarro of DOVES described the need for services in the Crestline and Twin Peaks area. She asked the Supervisors to reconsider funding the program. (Proposal # 29232)

Darrell Johnson from Sandalwood Development and Social Services described the job-training project for San Bernardino County and asked for funding. (Proposal # 29132)

Dennis Brown representing Impact Ministries presented information regarding the programs for youth. He requested reconsideration of funding for the youth center program. (Proposal # 29129)

Jessica Diamond of Arrowhead Suburban Farms described the new drug and alcohol prevention program. She asked for the program to be funded. (Proposal # 29215)

Jesse McKinney representing Samaritan Social Services provided information regarding the counseling and temporary housing program. He asked the Supervisors to please reconsider funding the program. (Proposal #29215)

Mary McKinney of Samaritan Social Services presented a request for the funding of the project. (Proposal # 29146)

Corrine Diaz a recipient of Samaritan Social Services described the life changing programs provided to her entire family. She and her husband had recovered from drug and alcohol abuse through the program. The job placement, temporary housing, home ownership and family counseling helped them. In addition, she asked for funding. (Proposal # 29146)

Angela Saunders with Arroyo Valley Community Economic Development Corporation provided information regarding the development of a five unit affordable housing complex. She requested funding. (Proposal # 29134)

Angela Saunders representing SDS Services presented information on the need for legal document preparation and processing at low or no cost for very low to moderate-income residents. She asked the Supervisors to reconsider the request for funding (Proposal # 29145).

Cheryl Anaya from the Dorothy Grant Head Start program asked the Supervisors not to close the program. (No proposal submitted)

COUNTY RESPONSES

The federal regulations governing the Citizen Participation Process require that the plan document include a summary of any comments or views considered in preparing the Consolidated Plan, and include a summary of comments or views not accepted, along with related reasons.

The preceding Summary of Citizen Comments provides information about the comments or views that have been considered, and the comments or views that have not been accepted. The comments or views that have not been accepted have no corresponding proposal on file with the County, or pertain to proposals that have not been recommended for funding.

In all cases, the principal reason for no recommendation of funding for a proposal is the lack of sufficient CDBG funds to meet all needs and to finance all projects. Furthermore, having met the fifteen percent (15%) limitation on public service projects, the County is unable to consider additional public service proposals.